6541

App. F. IX-4

19 50-51
CPO.

File No. 40-50.

Serial Nos. 3

Previous References.
C.B. 40-50-2
C.B. 40-50-1

Later References.
G.L. 77-55(1+2)

GENERAL AND REVENUE SECRETARIAT

Serial Nos. One

Part B for March 1951.

SUBJECT

Grant of leave to Sri S. Ganapathi Sundram, Retired District Judge.

No. 18084/CPO/14th March 1951

To

The Accountant General in Fiji

WD 010861—GPB—25,000—18-9-50

Serial No.

Letter No 1101/GAD dt 21-8-1951 from the Accountant General in the matter of granting leave to Sri. V. Ganapathisundaram:

1) Notings of the Secretariat file may be referred to CB

Asst Secy CB
Sd/- V. K.
23/2/52

2) The relevant collections are placed below. If approved a reply stating that the leave granted to Sri V Ganapathi Sundaram in Notification No 777/CB 40-50-1 was extended by two months and 22 days privilege leave in G.O No 1349/CB 40-50-2, as a special case, and in relaxation of the rules of M.S.R by considering his representation dt 26-~~5~~-50 sympathetically and also to help the officer to earn a few rupees more as pension, a copy of Sri Ganapathi Sundaram's representation will also be sent if approved. The papers may be returned

CKS
3/3/51

NOTE—Contn. Sheet.

Re grant of leave to Sri V. Ganapathi Sundram preparatory to retirement from service

File No. 654/C.B. of 19

General and Revenue Secretariat

Serial No.

3) Please propose a draft reply. The reasons that necessitated a departure from the rules are given in para 62 of the notes in C.B. Collection No. 40-50-2.

Sd/ 3.3.57.

4) draft is put up for approval.

(Law Secy)
(Chief Secy)

CKD 5/3/51

1858 12/3/57 am 13/3/57

Kmk 6/3/57

Sd/ 5.3.57.

116 13/3/57 am 14/3/57

11411 7 MAR 1957

CHIEF SECRETARY 13 MAR 1957 1029 GOVT OF MYSORE

No 18054/CB dt 14-3-57
to the Accountant General
No 18085/CB dt 14-3-57
to the Registrar High Court

B

Appendix F. G.—1]

SUBJECT .....

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.....

General and Revenue Secretariat

( )

the 19 .

Diary No. of letter replied to .....

Date of issue 14.3.57

Signed by .....

List of enclosures .....

Copied by .....

Examined by .....

Section

File No.

Serial No.

No. 18084/CB

To

The Accountant General ~~Thro~~ ~~the Dept~~

Sub. Grant of leave to Sri V. Ganapathi Sundaram Retd. DJ Judge.

Ref. Your letter No 1101/GAD dt 21-2-1957

In reply, I am directed to ~~State~~ Confirm that Sri Ganapathi Sundaram was given combined leave for six months, ~~preparatory to retirement from service~~, as a special case and in relaxation of the rules in M.S.R., ~~in consideration~~ of the officer's representation. He represented that he may be given six months leave instead of only

This leave was at the

WD 010850—GPE—25,000—17-7-50

Credit of the Officer and

3959

OFFICE OF THE ACCOUNTANT-GENERAL,
MYSORE,

No. 1101/GAD. 22 FEB 1951 *Bangalore, dated* 21st February 1950.
Encl. one.

From

The Accountant-General, Mysore,
Bangalore.

To

THE SECRETARY TO GOVERNMENT,
Finance Department,
Bangalore.

Sir,

Adverting to G.O.No.13749-50.C.B.40-50-2 dated 29-12-50 communicated under Financial Department endorsement No.4831 dated 2-1-51 granting combined leave of six months with effect from - 26-4-50 to Sri S.Ganapathi Sundaram, Retired Second Additional District and Sessions Judge, Bangalore, in modification of 3 months and 8 day's combined leave granted in Government Notification - No.777/C.B.40-50-1 dated 1-5-50, I send herewith a copy of this Office letter No.602/GAD dated 30-9-1950 addressed to the Chief Secretary to Government of Mysore, in the matter. Since the leave of 3 months and 8 days' only was applied for and refused before the date on which he attained the age of superannuation (please vide copies of this Office letter No.90/GAD dated 10-5-50 and the Law Secretary's reply thereto No.4174/C.B. dated 8-6-50) the grant of 6 month's combined leave is ~~admissible~~ inadmissible under Article 147(2) of M.S.R. I am therefore to request to be informed whether the 6 months' combined leave in question is sanctioned to the Officer as a special case in relaxation of the rules in M.S.R., and if so, the special reasons that necessitated the departure from the rules in the case may kindly be indicated.

Yours faithfully,

For Accountant General.

GENERAL & REVENUE SECRETARIAT
6541/C.B
24 FEB 1951
CONFIDENTIAL BRANCH.

may be referred to the C.B

23/2/51

Sri C.N.R.)

Letter No.90/GAD dated 10-5-50 from the A.G.Mysore to the Secretary to Government, Law Department, Bangalore.

Adverting to Government Notification No.777/C.B. 40-50-1 dated 1/2-5-50 granting combined leave for a period of 3 months and 8 days from 26-4-50 preparatory to retirement from Service, to Sri S.Ganapathisundaram, M.A., B.L., Second Additional District and Sessions Judge, Bangalore, I would state that the leave salary bill for April 1950 has been passed presuming that the leave granted to the Officer was applied for by him and initially refused before the date on which he attained the age of Superannuation viz., 26-4-50 under Art.147 of M.S.R. The presumption may kindly be confirmed.

Letter No.4174/C.B. dated 8-6-50 from the Law Secretary to Government to the Accountant-General, Mysore, Bangalore.

Sub: Grant of leave to Sri S.Ganapathi Sundaram, Second Additional District and Sessions Judge, Bangalore.

Ref: Your letter No.90/GAD., dated 11th May 19660.

With reference to the above, I am directed to state that leave granted to Sri. S.Ganapathi Sundaram in Notification No.777/CB 40-50-1 dated 1st May 1950 had been applied for by the Officer before he attained the age of superannuation and had been refused in the interests of public service, under Art.147 of M.S.R. which has been cited in the Notification.

"Copy"

P.T.C

apg.

Letter No.602/GAD dated 30-9-50 from the Accountant General, Mysore, Bangalore the Chief Secretary to Government of Mysore, Bangalore.

Sub: Grant of leave to Sri S.Ganapathi Sundaram, II Additional District and Sessions Judge, Bangalore.

With reference to your letter No.7156/CB dated the 3rd August 1950 regarding the nature and amount of compensatory leave to which Sri S.Ganapathi Sundaram would be entitled to in view of his not having utilised a portion of the summer vacation permitted to him in Government Notification No.777/C.B.40-50-1 dated 1-5-50, I write to state that the Officer is not entitled to any further concessions as he has already been granted out of the six months combined leave (3 months Privilege Leave and 3 months Furlough on Average Salary) certified to by this Office with reference to the provisions of G.O.No.3570-71/C.B.217-48-1 dated 25-11-48 and the provisions of Art.209 of the M.S.R., Combined leave for 3 months and 8 days(8 days Privilege Leave and 3 months Furlough on average salary) with effect from 26-4-50, the date of his retirement and the question of any compensatory leave will arise only in the case of an Officer granted Privilege leave on half pay.

'Copy'

For Accountant General.

GOVERNMENT OF MYSORE.

General and Revenue Secretariat,

No. 18084/CS Dated Bangalore, 14.3.1951.

FROM

The Chief Secretary to the Government of Mysore.

Law Department.

To

The Accountant-General,
Mysore, Bangalore.

SIR,

Subject: Grant of leave to Sri.S.Ganapathi Sundaram, Retired District Judge.

Ref: Your letter No.1101/GAD. dated 21st February 1951.

In reply, I am directed to confirm that Sri.Ganapathi Sundaram was given combined leave for six months as a special case and in relaxation of the rules in M.S.R. This leave was at the credit of the Officer and except for the technical objection that it was not applied for in time and in the manner prescribed under Article 147(2) of Mysore Service Regulations, there was no objection to his availing himself of the leave. This was explained by the Officer as due to a bona fide mistake, and seeing that the officer was for the best part of his service subject to the Fundamental Rules. Government felt that his unfamiliarity with the provisions of Mysore Service Regulations was not unnatural and accepting his explanation, sanctioned the leave as a special case.

Yours faithfully,

Sd. B.S.Puttaswamy,

Secretary to Government,
Law Department.

LC/3 Memo No. 18085/CS 14.3.51

Copy of the above is forwarded to the Registrar, High Court of Mysore, Bangalore.

14/3/51

For Law Secretary to Government.

three months and 8 days
notified in Notification No.
777/CB 40-50-1 dt 1-5-1950,
as he was under a bonafide
mistaken impression that
he was entitled to apply for
only 4 months combined
leave as under the Funda-
mental Rules, by which he
was governed till 31-11-1948
and that he would have
applied for full six months
leave, if only he had been
conversant with the rules in
M.S.R. ~~Govt saw that~~ except
for the technical objection that
it was not applied for in
time and in the manner
prescribed under article 147(2) of
M.S.R, there was no objection to
his availing himself of the leave
and ~~he and sanctioned the leave~~. This was explained by the Officer as due to a bona fide mistake and seeing that the Officer was for the best part of his service subject to the T.R. ~~him~~ Govt. felt that his unfamiliarity with the provisions of M.S.R. was not unnatural and accepting his explanation, sanctioned the leave as a special case.

Yours faithfully

Secretary to Govt
6/3/57 Law Department

Rd. 18085/CB

Copy to Registrar. A/c

5.3.57.